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EDUCATION WEEK

American Education's Newspaper of Record | Volume VIII, Number 11 · November 16, 1988 | *© 1988 Editorial Projects in Education / $2.00*

Test Producers Pledge To Abide By Fair Practices

New Code Is Faulted For Lack of Sanctions

By Robert Rothman

In a major step toward self-regulation, the nation's leading publishers of achievement and college-admissions tests have signed a "code of fair practices" for test developers and users.

The statement, which is expected to be released this week, represents what one official called a "product warranty" to ensure that the rights of test takers are protected.

Although it does not propose sanctions for violators, the code pledges the signers to go through specific procedures to assure the appropriateness, proper interpretation, and fairness of their tests.

"This provides a focus for testing organizations to commit publicly to practices that are fair to students, who are essentially the objects of testing in this country," said Richard Ferguson, president of the American College Testing Program and a signer of the code.

"Though many organizations do commit, in their behavior, to these practices," he added, "it is nevertheless a useful thing for the practices to be publicly known and identified with testing organizations."

The fact that "the six organizations that provide the largest portion of tests in American schools have agreed to endorse the code," added Gregory R. Anrig, president of the Educational Testing Service, "is healthy for students and parents."

"This is the first time any endeavor in the private sector had the major firms get to-

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Other Election Highlights

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Indiana's Evan Bayh (above) is among 4 new governors. **9**

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Tax-limitation measures defeated in 3 states. **11**

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Detroiters oust 3 board members, reject tax hike. **12**

Education lobbyists mourn defeat of "best friend." **13**

After Victory, Speculations About 'Education President'

By Julie A. Miller

WASHINGTON—In the wake of last week's election, education observers are pondering whether President-elect George Bush will follow through on his campaign pledge to become the "education president" by making children and the schools a major priority of his Administration.

Election '88

For former Gov. Lamar Alexander of Tennessee, who advised the Bush campaign on education issues, the answer is clear.

"No president has ever before said that, committed himself to do that, at the beginning of his term," he said. "It is unprecedented to push education so high up as a Presidential priority."

"I think you can expect a lot of attention and concern about the children of America, all the way from child care and day care through Head Start and American education in general," added former Secretary of Education Terrel H. Bell, another Bush adviser.

But others were less sure that Mr. Bush's campaign rhetoric would translate into Presidential action.

"I think any sensible and knowledgeable observer of the American scene has got to come to the conclusion that we need executive direction from the President on that issue, so I can hardly be anything but delight-

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California Voters Back 'Guarantee' For School Funding in Constitution

By Richard Colvin
Special to Education Week

LOS ANGELES—By a razor-thin margin, California voters last week approved a measure giving public schools and community colleges hundreds of millions more in revenues this year and assuring them a set percentage of the state's budget in future years.

The measure, Proposition 98, makes California's constitution the first in the nation to "guarantee" a specified proportion of the state budget for education.

It also amends the constitution's so-called Gann limit on state spending to require a portion of any excess revenues to be earmarked for the schools and community colleges. And it requires school districts to issue annual report cards on each of their schools.

Supporters of Proposition 98—including the state school chief, Bill Honig, and groups representing teachers, administrators, and parents—were ebullient over the victory, which was won by only 135,000 votes out of 8.7 million cast.

The success was especially sweet for the California Teachers Association, which led the drive to place the measure on the ballot.

California voters also approved three ed-

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Jose Galvez/L.A. Times

State Supt. Bill Honig (left) and union chief Ed Foglia at press briefing last week.

In Pittsburgh: New Approaches to Testing Track Arts 'Footprints'

John H. Schuman

Educational Testing Service researchers observe work in progress in arts class.

By Lynn Olson

PITTSBURGH—The 7th-grade violinists listen to two recorded versions of "Chop Sticks"—one their first sight-reading of the piece and the other a rehearsed performance several days later.

Then they bend over the sheet of paper in front of them and begin to write: What was good or bad about the performance? What got better the second time? How could the ensemble improve?

The exercise is part of an experimental research program in music, the visual arts, and creative writing undertaken by Harvard University's Project Zero, the Educational Testing Service, and the Pittsburgh Public Schools.

Known as Arts PROPEL, the project's goal is to create curricula and assessments that provide a much richer depiction than is now available of how children learn and grow artistically.

Today, most student tests are given at the end of a semester or school year. And they provide little guidance for teachers on how to change their day-to-day activities.

In contrast, PROPEL is designing assessments that are woven into the warp and

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Dade County Plans A 'Gun Awareness' Program for K-12

By Lisa Jennings

In an attempt to cut down on the number of accidental shootings involving children, the Dade County, Fla., board of education has voted unanimously to adopt a four-part "gun awareness" program that will make the district the nation's first to offer a K-12 curriculum on the subject.

Central to the program, officials said last week, will be the message that guns are dangerous and children should avoid them.

The district was eager to disassociate its effort from curricular materials being offered by the National Rifle Association.

James Fleming, the associate superintendent for communications and management services, said that the N.R.A. package makes it seem "perfectly normal and natural to have a gun in the house."

"We don't want it to appear normal and

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Also in the news

A 'Flood' of Immigrants
Some schools are struggling to meet the demands of amnesty's second phase. **5**

A Case of 'Malpractice'?
A Kentucky suit says that school negligence caused a boy's failure to learn. **6**

A Brawl Over Recess
In Toledo, giving children more playtime has divided the school system's adults. **7**

A Bureaucratic Reshuffle
Federal programs on children would be realigned under controversial plan. **16**

IN SUMMARY

New S.A.T. Ahead?
The College Board is considering major changes in the Scholastic Aptitude Test, including longer reading passages, open-ended mathematics questions, and a writing test. **Page. 5.**

'Educational Malpractice'
A Louisville, Ky., man is suing the private school his son attended for nine years, contending it was negligent in discovering and dealing with the boy's learning disability. **Page 6.**

Satisfaction Guaranteed!
A Catholic high school in suburban Minneapolis is offering prospective students a full refund of tuition payments if they are not happy after attending classes for a month. **Page 7.**

AIDS Prevention
Aids-prevention programs need to address adolescents in ways that young people can easily understand, a new report by the General Accounting Office concludes. **Page 8.**

Children's-TV Bill Vetoed
President Reagan has pocket-vetoed a bill that would have restricted advertising during children's television programs and required broadcasters to air educational programming. **Page 17.**

Court Accepts Bias Case
The Supreme Court has agreed to decide whether an appellate court misinterpreted a key civil-rights law in a suit involving the racially motivated firing of a Dallas high-school football coach. **Page 18.**

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EDUCATION WEEK (ISSN 0277-4232) is published 40 times per year (weekly except for the first week in January, the last week in June, the month of July, the first four weeks in August, and the last two weeks in December) by Editorial Projects in Education, Incorporated. Editorial and advertising sales offices are located at 4301 Connecticut Ave., N.W., Suite 250, Washington, D.C. 20008. (202) 364-4114. Subscriptions: U.S. $47.94 for 40 issues. Canada: $70.94 for 40 issues. Foreign: $112.94 (airmail) and $80.94 (surface mail) for 40 issues. Second-class postage paid at Washington, D.C., and at additional mailing offices. **POSTMASTER:** Send address changes to EDUCATION WEEK, P.O. Box 6987, Syracuse, N.Y. 13217. Volume VIII, Issue 11.

ACROSS THE NATION

NATIONAL

Macmillan Agrees to Takeover By British Publishing Magnate

Officials of Macmillan Inc., a leading textbook publisher, have ended months of resistance by agreeing to accept a takeover offer from Robert Maxwell, a British publisher.

The move followed the Delaware Supreme Court's rejection of an attempt by Kohlberg, Kravis, Roberts and Company, a New York investment firm, to purchase the company. Macmillan had sought an offer from Kohlberg, Kravis in order to stave off Mr. Maxwell's advances. The court ruled, however, that the bidding process used by the investment firm was illegal.

The $2.5-billion deal will add substantially to Mr. Maxwell's stake in the American educational-publishing industry. In June, Mr. Maxwell purchased Science Research Associates, a major testing firm.

In addition to its sizable school-textbook and trade-book divisions, Macmillan also owns the Berlitz language schools, the Katherine Gibbs secretarial schools, and a legal-text company.

STATES

North Carolina Career-Ladder Plan Said To Aid Student Achievement

North Carolina's career-ladder program for teachers has led to clear achievement gains by students, according to a state education department study.

The study looked at student achievement in the 16 school systems participating in the three-year-old pilot program, which seeks to improve the teaching force through incentives, performance-based pay, and improved evaluation techniques.

The study found that students in the pilot districts posted bigger gains—and, in some cases, smaller losses—on the California Achievement Test than did students in other systems. More students in the experiment also raised their scores above the national median.

David Holdzkom, personnel-relations director for the department, said the results could bolster efforts next year to expand the career-development initiative.

Proposals for expansion are likely to face strong opposition from the North Carolina Association of Educators, which has been critical of the pilot program.

■ **Kentucky school systems will have to examine the criminal records of their bus drivers,** under regulations approved by the board of education this month.

The board's action came in the wake of charges against two local school-bus drivers for operating their buses while intoxicated.

Under the regulations, expected to take effect this spring, school superintendents would discipline drivers with a history of drunken driving, and fire any found to be intoxicated while on duty.

Districts also would be prohibited from hiring as a bus driver anyone convicted in the past five years of driving under the influence of alcohol or drugs.

■ **Nebraska will pay for mobile classrooms used in helping handicapped and disadvantaged private-school students,** under regulations signed by Gov. Kay A. Orr.

Before the rule change, districts were responsible for buying the converted vans, which park outside private schools to deliver the special-education and remedial services that students are entitled to receive under federal law.

A 1985 Supreme Court decision barred public-school teachers from entering church-related schools to provide the services. *(See Education Week, Oct. 26, 1988.)*

The state board of education had approved the rule change by a 6-to-1 vote.

■ **The Idaho Board of Education has refused to divide itself** into panels specializing in precollegiate and postsecondary education.

Gov. Cecil D. Andrus in June urged the panel to consider the split, which some educators have been advocating for several years.

The board rejected the plan after leaders of professional educators' groups said they were content with the current arrangement.

DISTRICTS

Charges of Promotion Peddling Hit New Jersey School-Board Members

The indictment of a member of the Newark, N.J., school board on charges of selling promotions to teachers has brought forth a string of similar allegations against other board members as well.

A federal grand jury Oct. 31 indicted Malcolm George, the board's second vice president, on two counts of bribe taking and two counts of extortion. Mr. George allegedly accepted $8,000 from two teachers to improve their chances for advancement, according to a spokesman for the U.S. Attorney's office in Newark.

Officials declined to name the teachers or say whether they had been promoted.

Since Mr. George's indictment, federal investigators have received a dozen or more calls and letters a day about other alleged cases of promotion peddling on the nine-member board, according to the spokesman.

Mr. George was scheduled for arraignment late last week, the spokesman said.

■ **Two Alabama districts have responded in different ways to cocaine-smuggling charges against three teachers.**

Recent federal indictments allege that Linda Christian, a 6th-grade math teacher; Renea Hubbard, a special-education teacher; and Althea Sweeting, a kindergarten teacher, participated in an international cocaine-smuggling ring.

The Birmingham school district has begun termination proceedings against Ms. Christian, according to Superintendent Cleveland Hammonds Jr. Ms. Hubbard has already resigned from the system.

The Talladega County schools, however, have put Ms. Sweeting on leave with pay, pending resolution of her criminal case.

■ **A North Carolina school-bus driver has been accused of killing a fellow student on his bus.**

Union County school officials say James Barrino, 18, a senior at Forest Hills High School in Marshville, is being held without bond for the Nov. 2 stabbing death of 16-year-old Danny Allen, a junior.

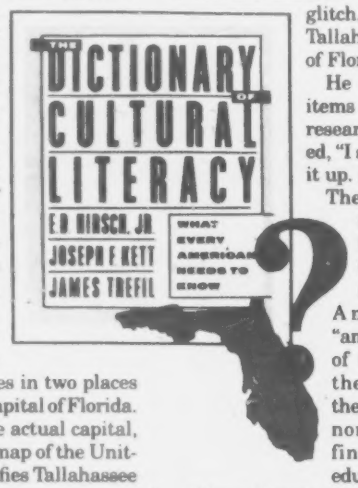
A scuffle broke out as Mr. Allen got off Mr. Barrino's bus, according to officials. The driver allegedly stabbed the student in the abdomen. Mr. Barrino also faces assault charges for injuring a second student.

Officials said none of the students had any record of discipline problems.

Capital Offense

In his best-selling book, *Cultural Literacy*, E.D. Hirsch Jr. argued that literate Americans "possess the basic information needed to thrive in the modern world." This year, he and two colleagues produced a dictionary to define such knowledge.

But if the information on state capitals is any indication, readers of *The Dictionary of Cultural Literacy: What Every American Needs To Know* apparently have a few things yet to learn.



In its "American Geography" section, the dictionary erroneously states in two places that Jacksonville is the capital of Florida. There is no listing for the actual capital, Tallahassee, although a map of the United States correctly identifies Tallahassee as Florida's capital.

The error was spotted by a reader of the *Tallahassee Democrat*, which first reported it.

Joseph F. Kett, chairman of the history department at the University of Virginia and the editor of the geography section, called the mistake "an embarrassing glitch," saying, "I know Tallahassee is the capital of Florida."

He said the incorrect items were written by a researcher. But, he added, "I should have picked it up. I didn't."

The dictionary's authors note in an introductory text that studies have shown that many Americans are "amazingly ignorant of the geography of their nation." And they add that such ignorance is not confined to the poorly educated.

"Many literate Americans who have no difficulty reading *The New York Times*," the book says, "are unable to name the capitals of all 50 states."

—R.R.

■ **Three Chicago high schools are experimenting with longer class periods.**

The schools have gone from nine daily periods of 40 minutes each to seven 50-minute classes. The idea could spread to the city's 62 other public high schools, according to Assistant Superintendent Jack Mitchell.

The experimental schedule will reduce the number of study halls, which in some schools are held three times a day.

The shift to longer instructional periods would bring Chicago's schools into line with most other districts, said Scott D. Thomson, executive director of the National Association of Secondary School Principals.

■ **Purdy, Mo., high-school students can have their dance,** a federal appeals court has decided.

The Dec. 10 dance was made possible by the students' challenge of a school-board policy banning dances. A federal judge in Springfield, Mo., struck down the policy as unconstitutionally promoting religion.

The board appealed the decision to the U.S. Court of Appeals for the Eighth Circuit, which upheld the lower-court ruling.

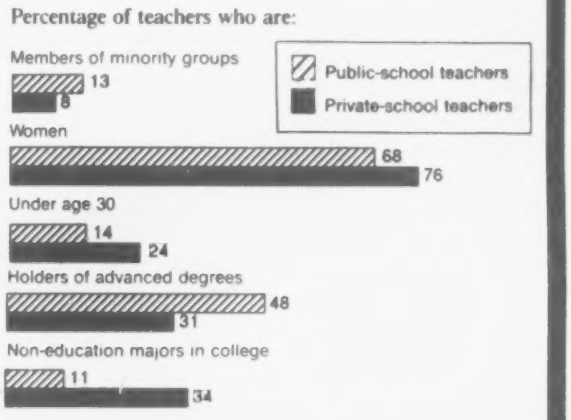
DIMENSIONS

Teachers, Public and Private

Teachers in private elementary and secondary schools are younger and less apt to have advanced degrees than public-school teachers, according to a new survey by the National Center for Education Statistics.

The survey marks one of the first efforts to obtain hard statistical information comparing the demographic and educational characteristics of the nation's 400,000 private-school and 2 million public-school teachers in K-12 classrooms, according to the agency. Its findings are also broken down by region, school size, and grade level.

Copies of the report, "Background and Experience Characteristics of Public and Private School Teachers" (CS 88-103), are available without charge by calling the Office of Educational Research and Improvement at 1-800-424-1616.



Source: The National Center for Education Statistics

PEOPLE

■ **Students at Evans High School in Orlando, Fla.,** are putting principles learned in their ecology class into practice by helping relocate more than 150 gopher tortoises whose homes have been slated for destruction.

Although a state law protects the tortoises, the land on which they live will soon become an apartment complex.

With the cooperation of the developer of the complex, the students are trying to find out how many tortoises there are on the 20-acre plot, so they can be moved to a safer place.

David M. Foxx, an ecology teacher at the high school, said his students have taken up compasses, hammers, and stakes to identify at least 157 active tortoise burrows.

An environmental-engineering firm has volunteered to relocate the slow-moving chelonians, once state officials issue the necessary permits.

"I think this has opened a few eyes," observed Mr. Foxx. "For city kids who haven't really come into contact with animals, they are very enthusiastic. Now they are more concerned about development in other areas."

■ A high-school mathematics teacher in Point Pleasant, W.Va., has been suspended for a third time for refusing to comply with a school-district directive that prohibits teachers from wearing jeans and T-shirts in school.

The dress code in Mason County, which went into effect at the beginning of the school year, originally required male teachers to wear a tie, but **Bill Webb**, who has not worn a tie in the last 15 of his 20 years as a teacher, said he would rather face the prospect of dismissal than show up for class in one.

Charles Chambers, superintendent of the Mason County Schools, said the dress code was implemented "because we had some teachers wearing bib overalls, sweat suits, and T-shirts."

"We feel that teachers are role models," said Mr. Chambers, and "dressing appropriately promotes respect for authority and facilitates teaching."

Although the tie requirement has since been dropped, Mr. Webb still refuses to teach his classes in the mandated dress pants and shirt.

The way in which a teacher chooses to dress has little to do with his ability to exert authority in the classroom or teach effectively, Mr. Webb maintains.

And he has refused to follow the county grievance procedures, which allow a teacher to contest regulations. The school board will hold a dismissal hearing on Dec. 1.

Demonstrators call for state funds to prevent closing of the Scotland (Pa.) School for Veterans' Children. The education department later provided the needed money, a spokesman said.

RESEARCH AND REPORTS

Citizens' Group Releases Guides To School-Based Management

The National Committee for Citizens in Education, a nonprofit organization that monitors developments in public education, has released two guides to school-based management.

"School Based Improvement: A Manual for District Leaders," by Barbara Hansen and Carl Marburger, is a handbook for administrators and board members seeking to transfer more authority to officials at the school level. "School Based Improvement and Effective Schools: A Perfect Match for Bottom-Up Reform" is an annotated bibliography of recent research and articles.

As their titles suggest, the works stress that the goal of change is to produce schools in which children can learn more effectively.

Copies of the manual are available for $35 each, and of the bibliography for $10 each, plus $2 each for shipping and handling, from the N.C.C.E., 10840 Little Patuxent Parkway, Suite 301, Columbia, Md. 21044.

Lyceum for Logophiles

At Venice (Calif.) High School, lexicographical disquisitions are a quotidian occurrence among matriculants.

That is, when students and teachers wear their "Have You Used Your Word of the Day?" pins, they know what they are talking about.

For the past four years, the school has operated the "word of the day" program, which gives students an opportunity to display their understanding of a relatively difficult word in exchange for a small emolument, usually a candy bar.

At the beginning of each school year, a group of teachers from various disciplines makes up a list of words for the entire year. Often, the daily word is centered on a current theme. For example, when the school is rehearsing for a musical, "crescendo" might appear on the bulletin board of daily words. Similarly, if a mathematics competition is taking place, students might be asked to use "parallel" or "logarithm" in a sentence.

Each day, Principal Andrea Natker makes her rounds during lunch hour, rewarding students who use the daily word correctly with a "Word Wizard" card and a prize. At the end of the semester, one lucky Word Wizard wins a stereo.

The program has not only improved students' vocabulary and writing samples, says Ms. Natker, but also has had a salutary impact on the school's climate. "Kids look for recognition," she observes, noting that the daily word has opened the door for "positive adult-student interactions."

Of course, the principal readily admits, students will not be using words such as "exoteric" in casual conversation. But, she notes, they will surely have cause to be "jubilant" should some of the daily words appear on a future college-entrance examination.

And what about students who don't know the daily word? They can always tergiversate.

UPDATE

■ **Plymouth, Mass., school officials are split over participating in emergency-evacuation plans for the nearby Pilgrim nuclear power plant.**

The committee that oversees the city's elementary schools voted late last month to allow teachers and other school employees to receive training for a potential evacuation. But the committee responsible for the upper grades rejected a similar plan.

Teachers and school officials in neighboring towns also have refused to participate in emergency planning for Pilgrim, which is scheduled to be reopened soon after having been closed for more than two years. *(See Education Week, Oct. 5, 1988.)*

Last week, Massachusetts voters rejected an initiative that would have kept the plant permanently closed.

Elementary-school students in Louisville, Ky., can now use points accumulated for strong grades, good behavior, and consistent attendance to shop at a school-based grocery store.

Placement of a branch of the Winn-Dixie grocery chain at Shelby Elementary School follows the success of three similar school-based stores, according to school officials. Since late 1985, Kroger's, Sears, and K Mart have opened stores in three Jefferson County elementary schools. *(See Education Week, March 2, 1988.)*

Students at Shelby will be trained to be clerks in the school's Winn-Dixie store, which opened last month. Officials say the store will help students learn about mathematical concepts and consumer behavior.

The promise of earning credits that can be redeemed in the store will serve as an incentive to students to do better work, they add.

Pupil Gains Not Just Mythical, Test Publisher Says Study Shows

By Robert Rothman

A leading test publisher, aiming to refute charges that standardized-test scores are inflated, has found in a new study that elementary-school students registered substantial gains in basic-skills achievement over the past decade.

The study by C.T.B./McGraw-Hill found that, in 1987, students in grades 1 to 8 who took its Comprehensive Test of Basic Skills scored an average of 6.63 percentile points higher in reading, 10.83 points higher in language, and 14 points higher in mathematics than a 1981 comparison group.

On the California Achievement Test, it found, between 1978 and 1985, scores increased by an average of 10.1 percentile points in reading and 10.78 points in math.

Said To Explain High Scores

The findings help explain why separate studies have shown that most elementary students score "above average" on the nationally normed tests, according to Paul L. Williams, director of research and measurement for C.T.B./McGraw-Hill.

On nationally normed tests, student scores are compared with others, which can be up to seven years old, achieved by students in a norm group.

"The fact is that the gains are real, and that national averages have increased in the past 10 years," said Mr. Williams.

> 'The gains are real, and averages have increased.'

Moreover, he noted, the gains were greatest among those who scored at or below national averages a decade ago. Such increases, added David Deffley, general manager of the Monterey, Calif.-based firm, demonstrate the success of federal compensatory-education and state basic-skills programs.

In addition, noted Mr. Williams, the tests themselves have helped improve instruction by enabling teachers to identify students' weaknesses and target resources to needed areas.

Response to Critics

The new study represents the testing firm's latest response to critics who have charged that the test scores are misleading.

A controversial study last year by Friends for Education, a West Virginia advocacy group, found that the overwhelming majority of elementary students scored above national averages on nationally normed tests. This came about in part, the group charged, because test publishers and administrators manipulate the scores to make student achievement appear higher than it actually is.

But the C.T.B. study found that achievement has in fact improved, and that student scores should be higher than they were when the averages were set.

"Achievement has gone up, and the standard is tougher now," said Mr. Williams. "It's harder to be at the 50th percentile."

Math Gains Cited

The study compared the scores from a sample of students who took the C.T.B.S. in 1987 with those in a national sample from 1981. It found that the average overall gain per grade ranged from 8 points at grade 8 to 13.3 points at grade 2.

The largest increase, it found, was in 2nd-grade mathematics, where the nation as a whole achieved at a much higher level. A student who scored as well as or better than 68 percent of all students in 1981, Mr. Williams noted, would have scored as well as or better than 50 percent of all students in 1987.

A separate study of CAT scores, which compared national samples of students in 1977 and 1985, found similar gains. Students in grade 9, it found, gained an average of 11.5 national percentile points, while 6th graders gained an average of 10.17 points, and 3rd graders gained an average of 9.67 points.

'Teaching to the Test'

Researchers familiar with the analysis questioned last week whether it proved that the gains in student scores reflected actual gains in achievement.

Daniel Koretz, senior social scientist for the RAND Corporation, pointed to the fact that the 1987 scores were for students who had taken the C.T.B.S., rather than a random sample. The test group's increases could reflect teachers' efforts to boost scores by "teaching to the test," he said.

Moreover, the C.T.B. study did not address student achievement in higher-order skills. Other national studies, such as the National Assessment of Educational Progress, have also found gains in basic-skills achievement since the late 1970's.

But NAEP studies have also found that few students can perform more complex problem-solving tasks, which many argue are necessary for college work and the job market.

Mr. Williams said the firm was unable to discern the level of students' abilities in higher-order skills. But he contended that the improvements in basic skills are significant signals that growing numbers of children have a foundation for more advanced work.

"If children don't have basic skills," he said, "there is no way they can do higher-order skills."

Gains in National Average Scores, California Achievement Test: 1977 to 1985

Grade	Subtest	Percentile and Points Gained
3	Reading	75 — 7; 50 — 12; 25 — 10
	Math	75 — 2; 50 — 11; 25 — 16
6	Reading	75 — 6; 50 — 10; 25 — 12
	Math	75 — 8; 50 — 12; 25 — 13
9	Reading	75 — 5; 50 — 13; 25 — 16
	Math	75 — 6; 50 — 12; 25 — 17

SOURCE: C.T.B./McGraw-Hill

Testing Companies Pledge To Abide By 'Code of Fairness'

Continued from Page 1

gether to make a public declaration," he added.

In addition to the A.C.T. and the E.T.S., initial signers of the code include the College Board, C.T.B./McGraw-Hill, the Psychological Corporation, and the Riverside Publishing Company.

The code lists 21 steps developers and users should take in developing and selecting appropriate tests; interpreting scores; striving for fairness to minority and handicapped test takers; and informing test takers about such issues as test content, their rights in obtaining scores, and procedures for registering complaints.

Although the code contains no enforcement mechanism, testing officials said the publication of the document could encourage the public to put pressure on the firms to follow it.

"We hold ourselves to these principles," said John J. Fremer, senior development leader for the E.T.S. and chairman of the group that produced the code. "Feel free to question us if you feel that on any project we haven't adhered to those principles."

No 'Deliberate' Misconduct

Publication of the four-page code comes at a time when the use of tests has reached what some term a "frenzied" level, and when the industry in turn has come under increased scrutiny.

"Testing is as popular, and at the same time, as unpopular with some people, as I have ever seen," said Mr. Fremer. "The more people care, the more questions they ask."

The effort to develop the code began in 1984, when publishers and testing experts met to consider ways to strengthen the industry's standards.

While useful for technical developers of tests, officials said, those standards—published by the American Psychological Association, the American Educational Research Association, and the National Council on Measurement in Education—were insufficient, because many teachers, school administrators, and others involved in testing were unfamiliar with them.

"Ignorance has been more of a problem than the deliberative attempt to do bad things," said Mr. Fremer.

What was needed to get at that problem, the groups agreed, was a document written in accessible language, rather than technical jargon, and one that would focus on educational tests, rather than on all types of tests.

The organizations created an 18-member joint committee on testing practices to devise a new code that would "represent the spirit of a selected portion of the standards in a way that is meaningful to test takers and/or their parents or guardians."

Developers and Users

The code addresses the responsibilities of both test developers and users, Mr. Fremer noted.

"Both developers and users have things they have to do" to ensure fairness, he said. "If you don't have a good test that is not adequately validated, there is no way you can make up for that with skillful use."

"On the other hand," he added, "if you have a good test that is not interpreted properly, that's not good either."

Specifically, the code states, test developers should provide information users need to select appropriate tests, and users should select tests that meet the purpose for which they are to be used.

In addition, it says, test developers should help users interpret scores correctly, and should "strive to make tests that are as fair as possible for test takers of different races, gender, ethnic backgrounds, or handicapping conditions."

Test users, it states, should interpret scores correctly and should select tests that are fair.

Both groups, it says, should inform test takers about test coverage and directions, and help them judge whether or not to take a test when it is optional. And they should inform test takers and their parents about: their rights to obtain copies of tests and answer sheets or to change scores; how long scores will be kept on file; and procedures for registering complaints.

Running Stop Lights

Test critics last week called the code a useful first step in helping to protect consumers' rights. But they cautioned that it fails to address all possible abuses and lacks a means of enforcement.

"If all the maxims are followed, I have no doubt the overall quotient of goodness and virtue should be raised," said Chester E. Finn Jr., the former assistant U.S. secretary of education for educational research and improvement.

However, he added, "like Moses, the test makers have laid down 10 commandments they hope everyone will obey. That doesn't work very well in religion; adultery continues."

Robert Schaeffer, a spokesman for the National Center for Fair & Open Testing (FairTest), argued that an independent body is needed to ensure that the firms live up to their principles.

"Stop lights are a great idea, but if police don't enforce them, people will run through them more than before," he said. "I'm pessimistic about the prospects of self-regulation."

Mr. Schaeffer added that he was "concerned" that the document contains "high-sounding general statements that test publishers are free to interpret as they see fit."

Daniel Koretz, senior social scientist for the RAND Corporation, also noted that the code, even if it is enforced, would not prevent schools from misusing tests to raise scores.

Such practices, he argued, have led to the so-called "Lake Wobegon effect," in which the overwhelming majority of students score above national averages on nationally normed tests.

Public pressure to enforce the code may curb some abuses, Mr. Koretz noted, but "there are a lot of other pressures on schools to misuse tests."

"This is a big step by the industry to recognize and put their weight behind the recognition of the rights of consumers in testing," he added. "That's an important precedent. But they still have a long way to go."

The fact that "six organizations . . . have agreed to endorse the code, is healthy."

— Gregory R. Anrig

Copies of the Code of Fair Testing Practices in Education may be obtained, free of charge, from the National Council on Measurement in Education, 1230 17th Street, N.W., Washington, D.C. 20036.